

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KENDALL J. BAKER,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

NO: 13-CV-0093-TOR

ORDER OF REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand (ECF No. 19). Based on the parties' stipulation, this case is remanded to the Commissioner of Social Security for a de novo hearing pursuant to sentence four of 42 U.S.C. § 405(g).

ACCORDINGLY, IT IS HEREBY ORDERED:

1. The parties' Stipulated Motion to Remand (ECF No. 19) is **GRANTED**.

The Commissioner's decision regarding Plaintiff's application for a period of disability, disability insurance benefits, and supplemental security income

benefits is **REVERSED** and **REMANDED** to the Commissioner of Social Security for a *de novo* hearing pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will further evaluate the treating source opinion of Ethan Angell, M.D. and give specific reasons for the weight assigned as set forth in Social Security Ruling 96-2; as necessary, further evaluate the claimant's residual functional capacity in accordance with Social Security Ruling 96-8p and obtain supplemental vocational expert evidence to clarify the effect of the assessed limitations on the claimant's occupational base; offer Plaintiff the opportunity for a new hearing; and issue a new decision.

2. If and when appropriate, Plaintiff may file by separate motion an application for attorney's fees and costs under 28 U.S.C. § 2412(d) and 42 U.S.C.

§ 406(b).

3. All pending motions are **DENIED** as moot.

The District Court Executive is hereby directed to enter this Order, provide copies to counsel, enter **JUDGMENT** for Plaintiff, and **CLOSE** the file.

DATED November 1, 2013.



Thomas O. Rice
THOMAS O. RICE
United States District Judge